

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

Judge Kathleen Cardone

FILED

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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY GA DEPUTY

) Brandon Callier, Pro se, Ana Callier, Pro se,
) Craig Cunningham, Pro Se
) Plaintiff

) v.

) Billie Bauer aka Creditwrench,
) Defendant

COMPLAINT
CIVIL ACTION NO.
EPO7CA0226-KC

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND
INCORPORATED MEMORANDUM OF LAW**

1. Plaintiff's Craig, Ana, and Brandon (Plaintiffs) file this emergency motion for immediate temporary restraining order against defendant Bill bauer aka Creditwrench (Defendant) and any internet service providers patronized by the defendant.

INTRODUCTION

2. Pursuant to Rule 65 of the Federal Rules of Civil Procedure, we request that the court enjoin the defendant remove any and all statements about the Plaintiff's or the Plaintiff's business or business practices and refrain from making any further statements until after trial.

3. The Defendant has made several statements about the Plaintiff's and the Plaintiff's business and business practices. These are completely untrue, and this will be proven at trial, but the Defendant continues to post completely false and misleading information with the intention of harming the business of CCH Consulting and the Plaintiff's, as late as June 1st, June 2nd, June 4th, and June 5th. We expect this behavior to continue. Also, the Defendant has stated on numerous blogs that he intends to destroy his business records if ever asked to reveal them.

The multiple domains and blogs where this information can be found include:

www.robert-paisola.com

www.cchconsulting-thetruth.blogspot.com

<http://www.billiebauerokc.com>

<http://people.tribe.net/4237ef43-45a6-4e9a-bc82-e2880df5d9cd>

<http://roguesgallery.6te.net/>

FACTS

4. These sites contain multiple declarations by the defendant to include statements that our clients can go to jail, that the plaintiff's are engaging in a crime, statements that we are conducting business with a person that we are not: Adam Wheeler, among other negative statements.

5. These statements are having a negative effect on our business. The number of inquiries, orders, and calls have declined significant. At least ten prospective clients have questioned the legitimacy of our business and specifically cite the statements and website made by the defendant. In addition to curtailing future sales, the actions of the defendant have resulted in increased refunds requested, chargebacks, and cancelled orders.

ARGUMENTS

5. Injunctive relief is appropriate to prevent the future loss of revenue and to mitigate the harm being done by these false and intentionally harmful statements.

6. Irreparable harm is being done to our business and personal reputations as these actions by the defendant have a chilling and lasting effect on our current and future business as people will simply opt to do business elsewhere out of fear due to the statements made by the defendant. Internet searches for our business quickly find these statements by the defendant, which if allowed to persist will be archived and easily found for years to come, and the personal reputations of the Plaintiff's will be forever ruined.

7. There is no adequate remedy at law to address this issue. Even with monetary compensation for our losses, our ability to conduct business in the future will be

permanently hampered because of the association of our names with these false statements. Mere money damages do not address the suffering, embarrassment, and humiliation endured by being associated with these false statements.

8. Substantial likelihood of success. Without a doubt, the statements made by the defendant are 100% flat wrong and provably false. The statements were made with the intention to harm our business, and they are having the intended effect. For example, the actions that the defendant claim are illegal are in fact expressly permitted by law and the Federal Trade Commission has also stated that our business practices are not illegal.

9. Public interest supports, and even requires granting an injunction. A person can not be allowed to make and continue to make completely false and harmfully calculated statements designed to run a person's business into the ground. By the time the court hears the case, it may be too late to salvage anything from the business, and the defendant will likely lack any ability to pay any monetary judgments. People should not have the ability to destroy another person's business and financial future while we are waiting for the wheels of justice to turn.

CONCLUSION

10. If left unrestrained, the Plaintiff's are likely to suffer irreparable harm; the Plaintiff's are likely to succeed on the merits of their claims; any potential harm to the defendant is *de minimus*; and the public interest is best served if the court enters the injunction.

For the foregoing reasons, the Plaintiff's ask this court to grant an injunction prohibiting the defendant and the defendants internet service provider from writing or hosting any future statements about the Plaintiff's or the Plaintiff's business and business practices and retract all current statements that reference the same and to award such relief that the court may deem appropriate and equitable.

Certification:

I hereby certify that a true and correct copy of the foregoing has been submitted to the defendant as part of the initial process in this case.

Respectfully submitted,

A handwritten signature consisting of several overlapping loops, likely representing the name 'Craig'.

Plaintiff Craig, pro se

A handwritten signature that appears to be 'Brandon' in a cursive script.

Plaintiff Brandon, pro se

A handwritten signature that appears to be 'Ana' in a cursive script.

Plaintiff Ana, pro se